OUTGOING TELEGRAM Department of State

CONFIDENTIAL

210139

L/C - Mr Kerley

ACTION: Embassy TEL AVIV IMMEDIATE

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Following note was handed this afternoon to Ambassador Harmon by Under Secretary Rostow: QTE The Secretary of State presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 10, 1967 concerning the attack by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which was carried out at 1605 and 1625 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the American flag and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air. At 1450 hours local time on June 8, 1967, two Israeli aircraft circled the

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Clearances:

REVIEWED BY [illegible] DATE 9/22/82

FDS☐ or XDS☐ EXT. DATE ____ TH. ____ REASON(S) ____

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U.S.S. Liberty three times, with the evident purpose of identifying the vessel. Accordingly there is every reason to believe that the U.S.S. Liberty was identified, or at least her nationality determined, by Israeli aircraft approximately one hour before the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats, substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could have been considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make clear that the United States Government expects the

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Government of Israel also to take the disciplinary MEXXX measures which international law requires in the event of wrongful conduct by the military personnel of a State. He wishes also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of XXXX Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The DepartmentXXXXXX of State will, in the near future, present to the Government of Israel a full monetary statement of its claim. END QTE.

END

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Department of State

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NEA

ACTION: Amembassy TEL AVIV PRIORITY

INFO: USUN

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STATE 210137

Following is text note received today from Israeli Embassy:

QUOTE: The Ambassador of Israel presents his compliments to the Honorable the Secretary of State and has the honor to inform him that he has been requested by the Government of Israel to renew its sincere expression of deep regret for the tragic accident in which, at the height of hostilities in the area, the USS Liberty was hit by Israeli fire. The Government of Israel deeply regrets this tragic accident.

The Ambassador of Israel has been instructed to inform the Honorable the Secretary of State that the Government of Israel is prepared to make amends for the tragic loss of life and material damage.

The Ambassador of Israel expresses once again in the name of the Government of Israel its deep condolences to the Government of the United States and its sympathy to all the

NEA:IAI:ALAtherton,Jr:fah: 6/10/67 | Ext. 2942 | NEA:IAI - Alfred L. Atherton

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